



PATENT
Attorney Docket 040750-5002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: **Ivan Gout et al.**

Application No. **09/762,258**

Group Art Unit: **1652**

Filed: **May 29, 2001**

Examiner: **Delia M. Ramirez**

For: **Identification and functional characterization of
a novel ribosomal S6 protein kinase**

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RESPONSE TO RESTRICTION REQUIREMENT & AMENDMENT UNDER 37 C.F.R. 1.115

In response to the Restriction Requirement dated August 26, 2002 (Paper No. 6), the period for response having been extended from September 26, 2002 to October 26, 2002 by payment of a one-month extension of time. This response is being filed under the next business day rule on Monday, October 28, 2002 as the due date for responding falling on a weekend (Saturday, October 26, 2002). Please amend the above-referenced application as follows:

In the Claims:

Please amend claims 29 and 35 as follows:

a1 29. (Once Amended) The method of claim 28, wherein the level of p70 β^{S6k} expression is determined by measuring the level of a nucleic acid encoding a p70 β^{S6k} protein.

a2 35. (Once Amended) A vector comprising a nucleic acid encoding a p70 β^{S6k} protein.

Please add new claims 37-55 as following:

37. The vector of claim 35, wherein the nucleic acid comprises SEQ ID NO: 1.

38. The vector of claim 35, wherein the nucleic acid encodes an activated p70 β^{S6k} protein.

a3 39. The vector of claim 38, wherein the activated p70 β^{S6k} protein contains a substitution at a position corresponding to amino acid residue 401 of SEQ ID NO: 2.

40. The vector of claim 39, wherein the substitution at position 401 is threonine for aspartic acid.

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02 FC:2201 84.00 CH
03 FC:2202 162.00 CH